

REMARKS/ARGUMENTS

This amendment responds to the Office Action dated October 31, 2008, in which the Examiner rejected claims 1, 8-14, 16-17, 19, 21-33 and 50 under 35 U.S.C. § 101; and stated that claims 6-7 and 34-35 are allowed.

Applicants would like to thank the Examiner for the telephone interview on January 13, 2009, in which the Examiner said the above amended claims overcome the rejection under 35 U.S.C. § 101.

As indicated above, claims 1 and 8 have been amended to be directed towards statutory subject matter. Applicants respectfully bring the Examiner's attention to FIG. 1 and the description found in the Specification on page 12, lines 7-13; page 13, line 11 through page 15, line 13; page 19, line 23 through page 24, line 1 including the picture taking device 40. Applicants respectfully submit that claims 1 and 8 are directed to a machine and not software per se. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 8-14, 16-17, 19, 21-33 and 50 under 35 U.S.C. § 101.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

Frommer Lawrence & Haug LLP
Attorneys for Applicants

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By: 

Ellen Marcie Emas
Reg. No. 32,131
(202) 292-1530